

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x

| |
|----------------------|
| USDC SDNY |
| DOCUMENT |
| ELECTRONICALLY FILED |
| DOC # |
| DATE FILED: 12/19/19 |

JERMANIE GORDON, :
Plaintiff, : **ORDER**
-v.- : 19 Civ. 8405 (GBD)(GWG)
C.O. DRUMMOND, et al., :
Defendants. :
-----x

GABRIEL W. GORENSTEIN, United States Magistrate Judge.

The complaint in this matter was filed pro se by plaintiff on September 10, 2019, naming C.O. Drummond and C.O. Jackson as defendants. On November 15, 2019, the Court directed the Clerk of Court to notify the Department of Corrections and the New York City Law Department that the Court was requesting that Correction Officer Drummond and Correction Officer Jackson waive service of summons. On November 20, 2019, however, the waiver of service form was returned unexecuted with the notation "Cannot identify/Need more information." See Waiver of Service Returned Unexecuted, filed Nov. 20, 2019 (Docket # 12).

Under Valentin v. Dinkins, 121 F.3d 72 (2d Cir. 1997), this Court has the obligation to assist the plaintiff in obtaining the information necessary to effectuate service. However, the complaint does not supply sufficient information to identify C.O. Drummond and C.O. Jackson for purposes of effectuating or seeking waiver of service. Accordingly, plaintiff must supply any information he has that would help the City of New York identify and locate C.O. Drummond and C.O. Jackson. He shall supply the information in a letter and shall give all information he has as to each defendant separately. The information shall include the time, date, and location of the incident; C.O. Drummond and C.O. Jackson's full names, if known; C.O. Drummond and C.O. Jackson's race, sex, and any other physical description; and any known locations or posts where C.O. Drummond and C.O. Jackson worked and the time periods they were at those locations or posts.

This information should be sent in a letter to the undersigned addressed as follows:

Gabriel W. Gorenstein
United States Magistrate Judge
U.S. Courthouse
500 Pearl Street
New York, NY 10007

Plaintiff shall send a copy to counsel for the City of New York at:

Hannah Victoria Faddis
New York City Law Department
100 Church Street, 4th Floor
New York, NY 10007

Plaintiff shall send these letters on or before January 9, 2020. Upon receipt of this information, the City of New York shall file a letter either (1) stating that these defendants waive service, (2) providing to the plaintiff and the Court the full names and service addresses of these defendants, or (3) if they are unable to identify a defendant, explaining in detail what efforts were made to identify the individual based on the information provided by plaintiff. The City of New York shall provide the required information by letter filed on or before January 23, 2020.

The Court notes that the Pro Se Intake Unit at the United States Courthouse, 500 Pearl Street, Room 105, New York, New York ((212) 805-0175) may be of assistance to the plaintiff in connection with court procedures.

SO ORDERED.

Dated: December 19, 2019
New York, New York



GABRIEL W. GORENSTEIN
United States Magistrate Judge

Copy sent to:

Jermaine Gordon
754 Bartholdi Street
Bronx, NY 10467